

REMARKS

Claims 1-42 are pending in this application. Claims 1-42 are subject to restriction. Claims 4, 21 and the specification have been amended. No new matter has been added. Reexamination and reconsideration is respectfully requested.

In response to the restriction requirement set forth in the Office Action mailed September 5, 2003, Applicant hereby provisionally elects Species A, a medical system with telemetry components wherein a message sent uses one of a predefined plurality of preambles, with traverse.

The Examiner has indicated that Claims 1-20 are directed toward Species A. In the accompanying amendment filed concurrently herewith, Applicant has amended Claim 21 so that Claim 21 now depends from Claim 9, which itself depends from Claim 1. Thus, Claims 21-42 now depend either directly or indirectly from Claim 1.

Applicant has amended the specification on pages 12-14 to add information not available at the time of filing and to correct assignment and attorney docket information.

Claim 4 has been amended to correct a typographical error.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date October 17, 2003

FOLEY & LARDNER

Customer Number: 23392

Telephone: (310) 975-7963

Facsimile: (310) 557-8475

By 

Irvin C. Harrington, III  
Attorney for Applicant  
Registration No. 44,740